

**Memorandum to the File
Case Closure**

Alleged Misuse of Government Resources
VA Office of Construction and Facilities Management, Mare Island, CA
(2014-03276-IQ-0123)

The VA Office of Inspector General (OIG) Administrative Investigations Division investigated an allegation that Mr. (b) (7)(C) (Western Region), VA Office of (b) (7)(C) misused Government resources when he received reimbursement for per diem and temporary lodging dating back to May 2013, which exceeded what Federal Travel Regulations authorized. We also investigated an allegation that he also received the higher locality pay for San Francisco, CA, but his official duty station was Washington, DC. To assess these allegations, we interviewed Mr. (b) (7) and reviewed his permanent change of station (PCS) and travel records. We also reviewed personnel records and applicable Federal laws, regulations, and VA policy.

Federal Travel Regulations state that agencies may authorize temporary quarters subsistence expenses (TQSE) in increments of 30-days or less, not to exceed 60 consecutive days. However, if an agency determines that there is a compelling reason to continue occupying temporary quarters after 60 consecutive days, it may authorize an extension of up to 60 additional consecutive days. Under no circumstances may reimbursement for TQSE be authorized for more than a total of 120 consecutive days. 41 CFR § 302-6.104.

Federal law authorizes locality pay for General Schedule employees with duty stations in the United States. 5 USC § 5304. Federal regulations state that an agency determines an employee's locality rate of pay by determining the employee's official worksite and that the official worksite is the location of an employee's position of record where the employee regularly performs their duties. 5 CFR §§ 531.604 and .605.

Personnel records reflected and Mr. (b) (7) told us that he began his VA employment in (b) (7) initially as a (b) (7)(C), and assumed his current position in May (b) (7). Recruitment records reflected that once Mr. (b) (7) accepted the position, he was assigned to Mare Island, CA, and the vacancy announcement reflected that relocation expenses were authorized. Personnel records confirmed that Mr. (b) (7)(C) duty station was not in Washington, DC, but was instead in the San Francisco, CA, area, or Solano County, CA, providing a 35.15 percent locality rate of pay.

PCS travel records reflected that Mr. (b) (7) used the maximum TQSE reimbursement authorized of 120 days temporary lodging. Further, he told us that he paid out of pocket for any additional expenses that were not authorized, and we found no record of any unauthorized payments made to Mr. (b) (7)(C). Records reflected that the last day he was authorized to receive per diem and temporary lodging payments was on

September 24, 2013. He filed two 30-day reimbursement claims and one 60 day claim, with the last one approved on June 13, 2014, which covered the period prior to September 2013. Mr. (b) (7) told us that he remained in the same hotel after his PCS reimbursements expired for several reasons, to include his frequent official travel outside of that area and a lack of time to search for other accommodations.

Conclusion

We did not substantiate that Mr. (b) (7) improperly received per diem and temporary lodging beyond what he was allowed, as records reflected that he used the maximum allowed but did not go over that amount. We also did not substantiate that he received an improper locality rate of pay, as his permanent duty station was in the San Francisco, CA, area, which provides a higher rate of pay than Washington, DC.

These allegations are being closed without issuing a formal report or memorandum.

Prepared by:

(b) (7)(C)

9/2/2014
Date

Approved:

9/3/14
Date